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Security Council

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Thursday, 28 August 2008, 3 p.m.

New York

President:	Mr. Grauls	(Belgium)
Members:	Burkina Faso	Mr. Tiendrébéogo
	China	Mr. La Yifan
	Costa Rica	Mr. Urbina
	Croatia	Mr. Jurica
	France	Mr. Lacroix
	Indonesia	Mr. Natalegawa
	Italy	Mr. Terzi di Sant'Agata
	Libyan Arab Jamahiriya	Mr. Ettalhi
	Panama	Mr. Suescum
	Russian Federation	Mr. Churkin
	South Africa	Mr. Kumalo
	United Kingdom of Great Britain and Northern Ireland	Sir John Sawers
	United States of America	Mr. Wolff
	Viet Nam	Mr. Le Luong Minh

Agenda

The situation in Georgia

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The meeting was called to order at 3.10 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Georgia

The President (*spoke in French*): I should like to inform the Council that I have received a letter from the representative of Georgia in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Alasania (Georgia) took a seat at the Council table.

The President (*spoke in French*): In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Ms. Elizabeth Spehar, Director of the Americas and Europe Division and Officer-in-Charge of the Department of Political Affairs.

It is so decided.

In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Wolfgang Weisbrod-Weber, Director of the Asia and Middle East Division and Officer-in-Charge of the Department of Peacekeeping Operations.

It is so decided.

The President (*spoke in French*): The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in response to a letter dated 22 August 2008 from the Permanent Representative of Georgia to the United Nations, addressed to the President of the Security Council, contained in document S/2008/587.

At this meeting, the Security Council will hear briefings by Ms. Elizabeth Spehar, Director of the Americas and Europe Division and Officer-in-Charge of the Department of Political Affairs, and Mr. Wolfgang Weisbrod-Weber, Director of the Asia and Middle East Division and Officer-in-Charge of the Department of Peacekeeping Operations.

I now give the floor to Ms. Spehar.

Ms. Spehar: Since Under-Secretary-General Pascoe's briefing to the Council on developments in Georgia on 21 August, President Medvedev of the Russian Federation signed decrees on 26 August on the recognition by the Russian Federation of South Ossetia and Abkhazia as independent States.

Regarding the situation on the ground, yesterday, the United Nations country team reported that 18 checkpoints of the Russian forces remain north of Gori. According to media reports, Russian checkpoints continue to be in place in other areas of Georgia, such as around the port town of Poti.

On 25 and 26 August, military monitors of the Organization for Security and Cooperation in Europe (OSCE) conducted four patrols to the eastern fringes of South Ossetia. The OSCE mission has reported that on 26 August a meeting took place between representatives of the South Ossetian and Georgian sides near Akhalgori. After that meeting, the Georgian side reportedly pulled back its police presence from the village of Mosabruni, located within the boundaries of South Ossetia. The security situation in Akhalgori was described to the OSCE monitors as stable but tense, and some estimated 80 to 90 per cent of the town's inhabitants were said to have left.

Regarding the humanitarian situation, United Nations sources have reported that spontaneous and organized returns continue to take place, while new displacements from villages north of Gori have occurred. The United Nations Resident Coordinator in Georgia yesterday reported on humanitarian efforts, stating that the Government of Georgia has been facilitating the return of internally displaced persons (IDPs) from Tbilisi to Gori and surrounding areas, including the identification of 18 kindergartens as accommodation for those without shelter in Gori. With the support of the Office of the United Nations High Commissioner for Refugees (UNHCR), a small tented camp that can hold up to 400 of those newly displaced was set up on the edge of the town on 26 August.

UNHCR has expressed concern over reports of new forcible displacement caused by marauding militias north of Gori near the boundary line with South Ossetia. Recent reports indicate that another

some 1,000 civilians from ethnic Georgian populated areas of South Ossetia have sought refuge in Gori. The newly displaced persons who arrived in Gori have reported incidents of intimidation, physical violence and looting.

Of equal concern are villages north of Gori and in the surrounding areas that are not accessible to humanitarian organizations. As of yesterday, the International Committee of the Red Cross remained the only international organization with access to South Ossetia. Therefore, reports on the humanitarian situation there remain scarce.

Commercial transporters are now available to take cargo between Poti and Tbilisi. However, they are reportedly reluctant to travel north of Gori and in the surrounding areas owing to concerns of insecurity if they are not part of a United Nations convoy. Humanitarian partners have been advised of security threats related to cluster bomb sub-munitions and abandoned ammunition. As of yesterday, food assistance from the World Food Programme had reached 137,100 people. Yesterday, food was provided to 12,600 IDPs and to the local population in conflict-affected areas.

According to information from the Office for the Coordination of Humanitarian Affairs, as of 27 August, the total funding directed specifically at projects in the flash appeal, issued on 20 August, stands at $9.8 million contributed or committed, with a further $14.1 million in uncommitted pledges.

The President (*spoke in French*): I now give the floor to Mr. Weisbrod-Weber.

Mr. Weisbrod-Weber: As requested, I would like to update the Security Council on developments in and around the Georgian-Abkhaz conflict zone.

Since we were last briefed, the United Nations Observer Mission in Georgia (UNOMIG) has observed the large-scale movement of Russian troops and military hardware from the Georgian side of the ceasefire line to that controlled by Abkhazia. On 23 August, some 220 vehicles, including armoured personnel carriers and trucks, as well as towed artillery guns, were observed by UNOMIG moving north across the ceasefire line. According to UNOMIG, only a small number of Russian troops not under the command of the Commonwealth of Independent States (CIS) remain on the Georgian side of the ceasefire line.

On 22 August, Russian military officials stated that the total strength of the Collective Peacekeeping Forces of the Commonwealth of Independent States (CIS-PKF) in the Georgian-Abkhaz conflict zone stood at 2,142. They also announced plans to establish 18 additional checkpoints in the conflict zone and one in the upper Kodori Valley. Since then, UNOMIG has observed a forward-positioning of the checkpoints of the CIS-peacekeeping force from the ceasefire line towards the eastern perimeter of the restricted weapons zone, which is the boundary of the zone of conflict with Georgia proper.

Overall, the situation in and around the Georgian-Abkhaz conflict zone has remained tense. Abkhaz forces continue to exercise control over the Ganmukhuri and Kourcha pockets north of the Inguri River, on the Georgian side of the ceasefire line. The Abkhaz side claims that Georgian armed elements are active on their side of the ceasefire line. There are also reports of mines having been laid in the Gali district. At this point, UNOMIG cannot verify any of those claims, largely due to the fact that UNOMIG has thus far not been able to obtain the appropriate security guarantees that would allow the resumption of normal patrolling in the Gali Sector. Patrolling in that sector thus continues to be restricted to the main road crossing it, the M27. UNOMIG expects to be able to resume normal patrolling in the next few days.

On the Georgian side, UNOMIG was informed that the Russian forces had left the Senaki military base and the Georgian police was conducting demining of the area. UNOMIG has resumed normal patrolling patterns in the Zugdidi sector.

During our last briefing, as concerns the Kodori Valley, you were informed that UNOMIG planned to conduct a patrol there. To date, the patrol has not taken place owing to the absence of the necessary security guarantees.

The President (*spoke in French*): I now give the floor to the representative of Georgia.

Mr. Alasania (Georgia): First of all, I should like to express my appreciation for the convening of this meeting. I should also like to extend my thanks to the representatives of the Department of Political Affairs and the Department of Peacekeeping Operations for their briefings.

My request to the President of the Security Council was forced by the illegal, unilateral actions of

the Russian Federation with regard to two Georgia provinces, namely, Abkhazia, Georgia, and South Ossetia, Georgia. On 26 August 2008, the President of Russia, Mr. Medvedev, made a statement on the recognition of the independence of the so-called republics of Abkhazia and South Ossetia, created on the territories occupied by the Russian forces. By recognizing the independence of Abkhazia and South Ossetia, the Russian Federation is violating and violated the principles of the equal rights of self-determination of peoples, non-interference in the internal affairs of another State and respect for human rights and the fundamental freedoms enshrined in the United Nations Charter and the Helsinki Final Act, which constitute the foundational principles of international law.

Russia acted in contravention of the principles and values that the Organization was designed to protect in order to ensure the independence and integrity of its Members. The Russian Federation's decision to formally recognize the independence of Georgia's breakaway regions is a breach of the fundamental norms and principles of international law regarding the sovereignty, territorial integrity and inviolability of State frontiers.

Russia's actions directly contradict all the resolutions on Georgia adopted by the Security Council, and Russia, as a member of the Council, has consistently reaffirmed the commitment of all Member States to the sovereignty, independence and territorial integrity of Georgia within its internationally recognized borders. The unilateral declaration of independence and its recognition are incompatible with the provisions of the Helsinki Final Act, which clearly specified the principles of the inviolability of the frontiers and the territorial integrity of States and allowed changes to State frontiers only in accordance with international law, by peaceful means and as the result of an agreement.

After all, these acts are manifestly illegal and irrelevant by virtue of their unilateral nature. Any State, any subject of international law, any responsible actor in international relations must show valour in the face of Russian pressure, to which they will definitely be subjected. The international community has already expressed and continues to express its strong condemnation with regard to the measures Russia has taken. We appreciate that unanimous support, and we believe that the Russian side should be sent a very strong message. Otherwise, it would mean that foreign sponsored groups around the world could use violence and ethnic cleansing to achieve their ends and be rewarded with independence.

I am sure that the Russian side, after its military aggression and against invasion of a sovereign State, will cynically appeal to the same universally accepted principles and norms to which I have referred. But we are accustomed to the fact that the Russian Federation puts its own spin on the facts. Despite that, I would like the Council to focus on what brought us to the situation that we are witnessing today.

In the process of gaining independence from the colonial regime of the Soviet Union, all ethnic groups of the Georgian population, which took part in the referendum on 31 March 1991, voted in favour of the restoration of Georgia's territorial integrity and independence on the basis of the Independence Act of 26 May 1918, which represented, inter alia, the freely expressed will of the population to live in an independent State. The international community — including the Russian Federation, by the way — confirmed the democratic character of the referendum by recognizing Georgia's independence. The referendum involved more than 90 per cent of the population, 99 per cent of whom voted in favour of Georgia's independence.

Therefore, all claims by the Russian Federation that Georgia's international legal status was defined in disregard of the will of the Abkhaz and Ossetian people are absolutely groundless. The 1991 referendum was held throughout the territory of Georgia, including in Abkhazia and South Ossetia, which implies that those national minorities were also involved in the process. The destiny of a concrete territory can be decided only by its indigenous population, and the indigenous population of the autonomous Republic of Abkhazia is composed not only of those who survived the ethnic cleansing and now remain and live in the territory of Abkhazia, but also of all the internally displaced persons (IDPs) and refugees who became the targets of brutal ethnic cleansing and persecution. That ethnic cleansing was confirmed and recognized at the summits of the Organization for Security and Cooperation in Europe held in 1994, 1996 and 1998 and in Security Council and General Assembly resolutions. The results of the plebiscite held on 28 November 1996 indicate that an absolute majority — 99 per cent — of the internally displaced persons from Abkhazia unanimously support the determination of the territory's status only in the event that territorial integrity is restored.

From the very beginning, the Russian Federation, after instigating those conflicts almost two decades ago, has dominated the peacekeeping and negotiation processes in both breakaway regions of Georgia. Through its participation, the Russian Federation has ensured that no tangible results have been achieved and no progress made possible in those negotiations. The Georgian side has warned the international community of that country's real intentions numerous times.

The Russian Federation can finally come out of the shadows of surrounding the long war that has been carried out against Georgia since our independence. Russia has clearly identified itself as a party to the conflicts in Georgia. We are witnessing the results of the Russian Federation's policy of territorial expansion. That expansion is being carried out at the expense of another State's territorial integrity, in complete disregard of international law and the lives and aspirations of hundreds of thousands of Georgia's citizens. Russia is moving forward, altering the post-1991 borders, with unpredictable implications for the wider region, whereas, according to Russia's perception, most of those borders are challengeable and are now being challenged.

Several hundred thousand people of various ethnic origins are suffering from a humanitarian disaster in the wake of the conflict in Abkhazia, Georgia. That has now been replicated in the Tskhinvali region, where more than 150,000 people have become IDPs and refugees owing to the recent military intervention of the Russian Federation and its militias. The overwhelming majority of those Georgian citizens are being subjected to unbearable suffering and to deprivation of their fundamental human rights and freedoms. Denied access to their homes, they are being forced to live in exile. Those who have stayed behind are exposed to constant fear of insecurity and poverty and, most shocking, possible execution just for being Georgian.

We hear constantly from both separatist regimes that they will not allow the ethnically Georgian population to return to their homes. The regimes' declarations are implemented by their paramilitary gangs, which are continuously destroying houses and property belonging to ethnic Georgians. Those actions are part of a systematic plan to ethnically cleanse Georgians from the Tskhinvali region, as previously happened in Akhazia.

The recognition of the separatist regimes by the Russian Federation constitutes nothing less than full and unequivocal support for the separatist insurgents, who are the direct perpetrators of ethnic cleansing. I would like to remind the members of the Council that Georgians will no longer be seen in these regions as a result of brutal and forcible displacement.

The people responsible for these actions — the self-proclaimed governors of these territories — are widely welcomed in the corridors of the Kremlin and applauded with cheers in the chambers of Russian legislative bodies. That brings us to the new reality in which the Russian Federation has used its peacekeeping shield to occupy the sovereign, independent State of Georgia and completely cleanse ethnically Georgian citizens from the separatist areas. As has happened before, the few civilians who have remained in those regions have been given Russian passports, in violation of international law and norms, which makes a mockery of the principle of the right to protect.

We are addressing the Security Council and the Secretary-General and urge you to act, and act promptly, to determine the humanitarian situation on the ground, to further relieve the plight — brought on by aggression — of the people living in these regions and to ensure the maximum participation of the United Nations and other organizations in the process. All allegations of mass atrocities must be verified and addressed through appropriate and credible human rights institutions. Many have expressed the willingness to help ease the consequences of the war for the people who have suffered most. Unfortunately, however, the Russian Federation has directly blocked the delivery of and access to humanitarian aid.

The Russian Federation has disregarded its commitments with respect to the six-point ceasefire plan that was agreed through the mediation of the European Union presidency — France — and particularly through President Sarkozy's personal efforts. Russia has failed to comply with the provision in this plan to withdraw its forces, as was very evident today from the Secretariat briefing, and it has predetermined for itself the outcome of the international talks for lasting security and stability that were required by the agreed peace accord. Russia continues to occupy territory of Georgia, ensuring maximum damage to the stability and the economy of my country.

For our part, we are complying with the ceasefire agreement and fully commit ourselves to it. We demand the same action from the other parties to the conflict. The Russian Federation has to withdraw its forces from Georgian territory to the pre-conflict locations.

Along with the full respect for territorial integrity and the sovereignty of Georgia within its internationally recognized borders, which cannot be questioned, Georgia stands ready to accommodate any legitimate security concerns that Abkhaz and Ossetian populations of Georgia may have, through direct dialogue and unbiased international mediation.

In conclusion, I would like to state the following. First and foremost, this step by the Russian Federation has no international legal consequence; it has no impact on the internationally established borders of Georgia and will not change in any way the international community's stand on the sovereignty, territorial integrity and independence of Georgia. However, this unacceptable and unjustifiable act of recognition further enflames an already difficult situation.

Russia's self-destructive act contradicts the very principle of territorial integrity upon which the modern State depends for its existence. There is no place in today's world for attempting to redraw boundaries of our modern international order. It is brutally evident that today we are dealing with a Russian-Georgian conflict instigated by Russian territorial ambitions against my country. The present situation and wars that took place in recent memory, and common sense, suggest that, unless confronted by the international community, Russian policies will eventually force a military confrontation elsewhere. These bleak prospects are all the more unfortunate given the region's, and particularly Georgia's, recent political and economic progress.

Georgia has been invaded and is occupied, but my nation is not conquered. We will repair the damaged infrastructure. We will rebuild the economy, we will solidify democracy and we will find the way, as we have done throughout millennia of history, towards peaceful coexistence of Georgians, Ossetians and all other members of the multi-ethnic community of my ancient country.

The President (*spoke in French*): I now give the floor to the representative of the Russian Federation.

Mr. Churkin (Russian Federation) (*spoke in Russian*): First of all, I would like to thank the representatives of the United Nations Secretariat for their briefings. I think that their briefings compellingly testify to the fact that despite the continuing problems — and there are many caused by the most recent military escapade undertaken by Georgia against South Ossetia — the situation is gradually normalizing, and there is more and more active involvement in this process by international humanitarian organizations.

Incidentally, the conflict zone has already been visited by quite a number of leaders of international humanitarian organizations, and virtually all of them are giving a high assessment of the role of the Russian Federation in remedying the humanitarian consequences of what occurred as a result of the Georgian aggression against South Ossetia.

Now, I would like to thank the Permanent Representative of Georgia for having put forward the initiative of holding today's meeting since it is providing me with an opportunity to read out here, in this Chamber, to the members of the Security Council, this statement, and since the Permanent Representative of Georgia asked for this meeting to be open and public, to in fact read to all members of the international community the following two decrees of the President of the Russian Federation, signed on 26 August of this year.

> "Decree on the recognition of the Republic of Abkhazia:
>
> "First, in the light of the expression of the free will of the Abkhaz people to recognize the Republic of Abkhazia as a sovereign and independent State;
>
> "Second, the Ministry for Foreign Affairs of the Russian Federation is to hold negotiations with the Abkhaz side on the establishment of diplomatic relations and on the agreement to prepare the appropriate documents;
>
> "Third, the Minister for Foreign Affairs of the Russian Federation is authorized to hold, with the participation of interested federal bodies and executive authorities, negotiations with the Abkhaz side on the preparation of a draft treaty on friendship, cooperation and mutual assistance, and to submit those documents in the proper order for signature;

"Fourth, in connection with the appeal of the President of the Republic of Abkhazia to the Ministry of Defence of the Russian Federation to ensure, before the conclusion of the treaty in paragraph three of this decree, the implementation by the armed forces of the Russian Federation of peacekeeping functions on the territory of the Republic of Abkhazia."

The second decree reads as follows:

"Decree on the recognition of the Republic of South Ossetia:

"First, in the light of the expression of the free will of the South Ossetian people to recognize the Republic of South Ossetia as a sovereign and independent State;

"Second, the Ministry for Foreign Affairs of the Russian Federation is to hold negotiations with the South Ossetian side on the establishment of diplomatic relations and on the agreement to prepare the appropriate documents;

"Third, the Minister for Foreign Affairs of the Russian Federation is authorized to hold, with the participation of interested federal bodies and executive authorities, negotiations with the South Ossetia side on the preparation of a draft treaty on friendship, cooperation and mutual assistance, and to submit those documents in the proper order for signature;

"Fourth, in connection with the appeal of the President of the Republic of South Ossetia to the Ministry of Defence of the Russian Federation to ensure, before the conclusion of the treaty in paragraph three of this decree, the implementation by the armed forces of the Russian Federation of peacekeeping functions on the territory of the Republic of South Ossetia."

That is the content of these two decrees signed by President Medvedev on 26 August of this year.

Today's meeting of the Security Council cannot be fully valid without the participation of the representatives of Abkhazia and South Ossetia. Without an understanding of the aspirations of the peoples of Abkhazia and South Ossetia, it is impossible to have an objective picture of what is taking place. We are convinced that the day will soon come when members of the Security Council will be able to hear their positions.

Russia has recognized the independence of South Ossetia and Abkhazia, aware of its responsibility for ensuring the survival of their brotherly peoples in the face of the aggressive and chauvinistic policy of Tbilisi. The basis of that policy was the motto proclaimed in 1989 by the then-President of Georgia, Mr. Gamsakhurdia: "Georgia for Georgians", which he tried to implement in 1992, having annulled the existence of entities on Georgian territory and having sent Georgian troops to attack Sukhumi and Tskhinvali in order to reinforce by force the reign of illegality that had already been established.

Genocide had already been carried out then in South Ossetia, and the Ossetians had been subjected to destruction and mass expulsions. Thanks to the selfless actions of the Abkhaz and South Ossetian peoples and the efforts of Russia, it was possible to terminate the bloodshed, to conclude the ceasefire agreement, to create mechanisms for peacekeeping and for considering all aspects of a settlement. In 1992 in South Ossetia and in 1994 in Abkhazia, peacekeeping forces were created, agencies were established to promote, with the facilitation of Russia, a strengthening of confidence, and to promote a resolution to address the objectives of social and economic recovery and the issues of political status. Those steps were supported by the United Nations and the Organization for Security and Cooperation in Europe (OSCE), which were involved in the work of the appropriate mechanisms and sent their observers to the zone of conflict. The peacekeeping and negotiating mechanisms were complex. Nevertheless, they succeeded in functioning and helped to bring the positions closer together and to achieve specific agreements.

However, the genuine prospects for peace that once were dashed when, at the end of 2003, power was seized in Georgia through revolutionary means by Mikheil Saakashvili, who immediately began to threaten that there would be a solution by force to the Abkhaz and South Ossetian problems. In May 2004, units of special troops and internal troops of the Ministry of Internal Affairs of Georgia were introduced into the Georgian-Ossetian conflict zone. In August, Tskhinvali was subjected to artillery shelling and an attempt was made to seize it.

With Russia's active mediation, the Prime Minister of Georgia, Mr. Zurab Zhvania and the leader of South Ossetia, Eduard Kokoity, signed a ceasefire protocol. In November 2004, another document was signed on means for the normalization of relations on the basis of a stage-by-stage approach. Following Zhvania's mysterious death, in February 2005, Saakashvili categorically rejected all agreements. That determined his attitude towards the Abkhaz settlement, the basis for which was the agreement signed in Moscow on 14 May 1994 on a ceasefire and the separation of forces. In accordance with that agreement, collective peacekeeping forces were deployed in the zone of the Georgian-Abkhaz conflict. In addition, the United Nations Observer Mission in Georgia was established, as well as the Group of Friends of the Secretary-General on Georgia.

The introduction by Saakashvili in 2006 — in violation of all agreements and decisions of the United Nations — of a Georgian military contingent into the upper Kodori Valley, undermined the progress made in the settlement process of the mechanisms, including the implementation of the March 2003 agreements achieved by President Putin and President Shevardnadze regarding joint efforts on the return of refugees and the opening of rail connections between Sochi and Tbilisi.

By openly continuing to ignore Georgia's commitments and agreements in the framework of the United Nations and the OSCE, Saakashvili established a puppet administrative Government for Abkhazia and South Ossetia in order once and for all to drive the last nail into the coffin of the negotiating process. Every year of Saakashvili's rule has been characterized by his total inflexibility and unceasing provocation, including the staging of incidents in the zones of conflict in the form of attacks on Russian peacekeepers and his deprecating attitude towards the democratically chosen leaders of Abkhazia and South Ossetia.

As a result of Tbilisi's actions, the Abkhaz and South Ossetian conflict flared up once again in the early 1990s. Since then, Russia has done everything in its power to assist in settling those problems on the basis of the recognition of the territorial integrity of Georgia. Russia took that position despite the fact that Georgia, in declaring its own independence, had violated the rights to self-determination of the people of Abkhazia and South Ossetia. In accordance with the law of the Union of Soviet Socialist Republics on the procedure for the resolution of issues linked to the secession of a republic from the Union, autonomous entities within the Union's republics had the right to independently resolve the issues of whether or not to remain part of the Union and of their legal status in the event of the republic's cessation from the Union. Georgia prevented Abkhazia and South Ossetia from exercising that right.

Nevertheless, Russia has consistently maintained its policy, while in good faith carrying out its peacekeeping and mediating functions. Russia has attempted to help achieve peace agreements and demonstrated restraint and patience in the face of provocation. Nor did we abandon our position after the unilateral proclamation of Kosovo's independence.

Through the aggressive attack on South Ossetia on the night of 8 August 2008, which caused numerous casualties, including among peacekeepers and other Russian citizens, as well as preparations for similar actions against Abkhazia, Saakashvili himself put an end to the territorial integrity of Georgia by using crude and blatant military force against people whom, in his own words, he wanted to see as part of his State. Saakashvili left them no other choice but to provide for their own security and to seek to exercise the right to self-determination as independent States.

In that regard, we cannot fail to recall the role that was played by those who have throughout the years pandered to the militarist regime of Saakashvili, supplied him with offensive weapons in violation of the regulations of the OSCE and the European Union, dissuaded him from shouldering his obligations on the non-use of force and inculcated in him a complex of impunity, including, among other things, with regard to his authoritarian actions to crush dissidents in Georgia. We know that, at specific stages, the external patrons attempted to restrain Saakashvili from irrational military escapades. But he clearly was completely out of control.

It is alarming that not everyone was able to arrive at objective conclusions in connection with Georgia's aggression. The glimmer of hope that once existed for the implementation of the joint initiative by the Presidents of Russia and France of 12 August 2008 quickly vanished when Tbilisi in fact rejected the initiative and Mr. Saakashvili's defenders followed his lead. In addition, the United States and several European capitals are promising Mr. Saakashvili protection through NATO, are calling for the rearming

of the Tbilisi regime and are already supplying him with new deliveries of weapons. That is a direct invitation to new escapades.

In the light of the appeal of the South Ossetian and Abkhaz peoples, the parliaments and presidents of the two Republics, the views of the people of Russia and the positions of both chambers of Russia's Federal Assembly, the President of the Russian Federation took a decision on the recognition of the independence of South Ossetia and Abkhazia and on concluding with them treaties on friendship, cooperation and mutual assistance. In adopting that decision, the Russian side has based itself on the provisions of the Charter of the United Nations, the Helsinki Final Act and other fundamental international documents, including the 1970 Declaration on Principles of International Law Concerning Friendly Relations and Cooperation among States. It is necessary to emphasize that, in accordance with the Declaration, every State must refrain from any violent actions that might deprive people of their right to self-determination, freedom and independence. The actions of States must also comply with the principles of equality and the self-determination of peoples. States must also have governments that represent all the people living on their territory. There can be no doubt that Saakashvili's regime in no way complies with those high standards established by the international community.

Russia, which has sincere feelings of friendship and cordiality for the Georgian people, is confident that, sooner or later, Georgia will find worthy leaders who will genuinely be able to care for their country and develop relations of mutual respect on an equal footing, as well as good-neighbourly relations with all the peoples of the Caucuses. Russia will be ready to promote that in any way possible.

Mr. Lacroix (France) (*spoke in French*): First of all, I too would like to thank the representatives of the Secretariat for their briefings.

Both in its role of the presidency of the European Union (EU) and in its national capacity, France has strongly condemned the decision taken by the Russian Federation to recognize the independence of Abkhazia and South Ossetia. The President of France informed President Medvedev and President Saakashvili of its views last night.

As the Security Council is aware, France is deeply involved in attempting to find a resolution to this conflict. Since the beginning of hostilities, we have committed ourselves to achieving a consensus statement to be adopted by the Council. We also worked with determination to carry out a difficult mediation, which led to a six-point plan signed by the parties — first and foremost by Russia and Georgia, but also by the two separatist entities. Since that agreement was reached, France, in its role of the presidency of the European Union, has worked tirelessly to ensure that the Council can lay the foundations for a lasting solution based on the six-point plan and the clarifications agreed among the parties.

Those discussions have not been easy. We have acted resolutely and in good faith in carrying them out. We have listened to the wishes of the members of the Council and done our utmost to arrive at a text that will enjoy consensus. I believe we were making significant progress towards an agreement prior to the Russian decision to recognize the independence of the separatist entities. Of course, that decision makes continuing this work extremely difficult, and we strongly deplore it.

Georgia has a history in the Security Council. Less than six months ago — as well as a year ago, two years ago and 10 years ago — the Council unanimously and strongly reaffirmed its commitment to respect the territorial integrity of Georgia within its internationally recognized borders. A few days ago, the Permanent Representative of the Russian Federation said that recent events had "dashed" the Council's resolutions on Georgia. Such statements are of concern and are clearly contrary to the Charter of the United Nations. Security Council resolutions cannot be challenged, much less nullified, by military action.

Specifically, the territorial integrity of a Member State, repeatedly and unanimously reaffirmed by the Council, absolutely cannot be called into question by armed intervention by a neighbouring State which then proceeds on that basis, and in the absence of a political process including serious international guarantees, to adjust boundaries in an area abutting its own territory.

We also need to think about the meaning and true underlying objectives of this decision by Russia. Heads of State of the European Union (EU) will meet on Monday to draw initial lessons from the Russian decision as regards EU relations with Russia.

Nonetheless, one thing is certain: the six-point ceasefire agreement of 12 August, which was signed by President Medvedev, President Saakashvili and Abkhaz and South Ossetian leaders, should be implemented in

full. The military forces that have not yet withdrawn to the pre-hostilities lines must be moved immediately — I am thinking in particular of all forces beyond the line of restricted armament in contravention of the 1994 Moscow agreement. The international mechanism which is to replace the Russian patrols around South Ossetia must be deployed rapidly. The international discussions on security and stability arrangements for the two Georgian provinces of Abkhazia and South Ossetia, foreseen in point 6 of the agreement, must begin as soon as possible. Finally — perhaps the most pressing concern — there must be complete freedom of humanitarian access. That means free for all, and without delay: free access to all victims by all organizations capable of providing assistance.

The long-term resolution of this conflict requires dialogue and the opening of international discussions. Until then, increased international monitoring of the situation on the ground will be necessary. It is particularly vital that the return of refugees be permitted, without hindrance and under international observation. It is also vital, in these troubled times, that vulnerable communities be protected. I am thinking in particular of areas of Georgian population in the separatist entities, which need to be monitored very carefully. Reports by the Office of the United Nations High Commissioner for Refugees about continued violence and destruction in those areas are particularly alarming.

My country therefore considers that an impartial United Nations mission to investigate the humanitarian and human rights situation in Georgia, including in Abkhazia and South Ossetia, should be dispatched without delay. In that spirit, we fully support the efforts of the Secretary-General to explore the role that the United Nations could play, including through the United Nations Observer Mission in Georgia. We also reaffirm the readiness of the European Union to make an active contribution on the ground, and we welcome the readiness of the Organization for Security and Cooperation in Europe to do likewise.

Mr. Terzi di Sant'Agata (Italy): Let me first of all welcome to the Security Council the Permanent Representative of Georgia, Ambassador Alasania. Let me also thank the members of the Secretariat for their briefings on the most recent developments in Georgia.

Russia's decision to recognize the independence of South Ossetia and Abkhazia has made an alarming crisis even more complex. The Russian Government's decision has no basis in international law, and Italy has already expressed a clear position in that regard. The territorial integrity of Georgia is an uncontestable principle, as numerous United Nations resolutions have underlined.

During this phase, the immediate goal is to achieve a peaceful solution to the crisis and the complete implementation of the six-point platform that the French presidency of the European Union (EU) agreed upon with the parties. The priority is to implement the international monitoring system, which represents an essential element of the platform. It is important for the Security Council to continue working towards a consensus resolution that incorporates the six points and the appropriate clarifications needed: six points whose full validity Russia does indeed recognize. At the same time, negotiations should continue within the framework of the Organization for Security and Cooperation in Europe (OSCE) to finalize a new ministerial decision, required to deploy additional observers and to define their duties. My country is part of OSCE efforts to send a monitoring mission, and we intend to contribute to that mission.

We should seek a solution to the crisis in all relevant international forums. The role of the European Union is crucial, as underlined in recent European Union declarations, to which my country fully subscribes. From the start, my Government has supported the French presidency in its efforts, efforts which led to the approval of the six points. We expect the European Council, at next Monday's meeting, to express a firm position and to reiterate at the highest political level the need to fully implement what has already been agreed and to reaffirm the will of the EU to contribute to the implementation of the agreement, particularly as far as the international monitoring system is concerned.

In the next few days, the Italian Minister for Foreign Affairs will travel to Tbilisi and Moscow — right after the meeting of the European Council. My country, at this difficult juncture for Georgia, is close to that country and intends to contribute actively to international efforts to improve the difficult humanitarian situation. In addition to sending humanitarian flights, we have allocated funds for the International Committee of the Red Cross, the Office of the United Nations High Commissioner for Refugees and the World Food Programme. We would like to echo what our French colleague just said and to

draw attention in particular to the need to ensure freedom of access for all humanitarian organizations and entities operating in the region.

We appreciate the efforts made by the Secretary-General; it is up to the United Nations to take every appropriate measure to support the people affected by the conflict.

It is in the international community's interest to prevent the current crisis from jeopardizing global stability at a moment when what is needed is the greatest possible solidarity among States in addressing the major challenges we are facing: the fight against terrorism and nuclear proliferation, and the great regional crises, first and foremost those in Iraq and Afghanistan.

Mr. Kumalo (South Africa): South Africa has followed developments in Georgia over the past few months with concern, especially because of their implications for the stability of the Caucasus region as a whole and their impact on bilateral relations between Georgia and its neighbours, in particular the Russian Federation. On numerous occasions, my delegation has stressed the need for the resolution of conflicts and disputes through consultation and negotiation, based on the principles of the United Nations Charter and Security Council resolutions. That approach is important in securing a lasting and sustainable solution. Resort to the use of force diminishes the chances of a lasting solution and increases the suffering of those affected.

We are indeed disappointed that the Security Council has not been able to agree to endorse the ceasefire agreement negotiated by President Sarkozy of France and President Medvedev of the Russian Federation, and signed by Georgia, South Ossetia and Abkhazia. In our view, that agreement presented a good basis for further consultation. The failure to endorse that agreement, after it was signed and accepted by all the parties, has complicated all efforts to find a lasting solution.

We would have also preferred the Council to engage, in any format, with both South Ossetia and Abkhazia in order to allow all parties to the conflict access to the Council, so as to enable it to take decisions based on that engagement. My delegation will continue to follow developments and to contribute to the resolution of the problem by actively participating in the work of the Security Council in this regard. We stand ready to work with all concerned in order to achieve a lasting political solution.

Mr. Suescum (Panama) (*spoke in Spanish*): First of all, I would like to express my thanks for the briefings we have heard from the Secretariat today and for the statement made by the Permanent Representative of Georgia.

Throughout its history, Panama has lent its support to peoples striving for self-determination, but that should not be understood as support for any action designed to destroy or undermine the territorial integrity of States. We firmly believe that international peace and security, including the credibility of the United Nations, rests to a large extent upon respect for that fundamental principle.

It is on the basis of those considerations that Panama is taking this opportunity to reaffirm its support for the territorial integrity of Georgia. We appeal to all parties directly or indirectly involved to do their utmost and to carry out all negotiations necessary to ensure that that principle is respected.

Sir John Sawers (United Kingdom): Allow me to begin by thanking you, Mr. President, for convening this meeting in response to the very understandable request from the Permanent Representative of Georgia. We are grateful for the briefings from the Secretariat.

Events in Georgia over the past three weeks raise fundamental questions for the Council — and for the United Nations more widely — and this meeting is an important opportunity for Council members to set out their views.

Since the outbreak of fighting in Georgia on 7 August, the United Kingdom's approach has been based on two basic principles: first, full support for Georgia's sovereignty and territorial integrity; and secondly, full support for efforts to end the violence and lay the foundations for a peaceful and enduring settlement to the conflict that is acceptable to all the parties. We supported French-led efforts to secure an immediate end to the fighting, efforts that culminated in the six-point agreement signed by Russia and Georgia, together with the agreed clarifications issued by President Sarkozy. We support it, and we continue to support efforts to ensure the full implementation of that agreement, including the full withdrawal of Russian forces back to the positions occupied prior to 7 August.

To that end, we and others have been closely involved in discussions here in New York on a draft Security Council resolution that would command broad support in the Council, that would codify all elements of the six-point plan and that would establish the basis for progress towards a lasting settlement to the conflict.

At the beginning of this week, as my French colleague implied, those of us involved in negotiations on a draft text were cautiously optimistic about the prospects for agreement. But Russia's decision on Tuesday unilaterally to recognize the independence of South Ossetia and Abkhazia torpedoed those negotiations. By its actions, Moscow has effectively ruled out agreement on a comprehensive Council response to the situation in Georgia.

Let me be clear. Russian military action and Russia's recognition of Abkhazia and South Ossetia constitute a unilateral attempt to redraw the borders of a neighbouring country through the use of force. It is our view that that is entirely unacceptable and unjustified. It is in direct contravention of the founding principles of the United Nations and is in defiance of numerous resolutions adopted by the Council. It is also a flagrant breach of point 6 of the agreement signed by President Medvedev. Condemnation of Russia's actions has come not only from the foreign ministers of the Group of Seven (G7), Russia's partners in the G8, but from many parts of the international community, as the enormous implications of Russia's actions sink in.

Russia's decision has grave humanitarian and political implications. We have heard justifications for Russia's actions based on the need to prevent humanitarian catastrophe. But what we have seen in recent weeks is ethnic Georgians being pressured to flee from their homes in South Ossetia and Abkhazia. Tuesday's decision by Russia will encourage those in South Ossetia and Abkhazia who are bent on violence and intimidation, and there is already credible evidence that they have accelerated their work.

We call on Russia to do three things: first, to abide by international law as the basis for resolving this crisis; secondly, to act now to ensure full and free humanitarian access to Abkhazia and South Ossetia and to prevent violence and intimidation against ethnic Georgians — and that does not mean requiring ethnic Georgians to accept Russian citizenship as the price of remaining in South Ossetia; and thirdly, to implement urgently and in full its undertakings under the six-point agreement, including withdrawal of its forces to the positions occupied prior to 7 August. It is unacceptable that, over two weeks since the agreement was signed, Russian forces continue to occupy parts of Georgia well beyond the conflict zones. We look to Russia to facilitate the deployment of international observers, as prefigured in point 5 of the six-point plan, to speed up the Russian pullback.

The use of force, violence and intimidation against civilians and de facto annexation cannot be the basis for a peaceful and durable settlement to this or any other conflict. Future arrangements in South Ossetia and Abkhazia can be agreed only through international negotiations involving all the parties, as envisaged in point 6 of the six-point plan. The United Nations has already expressed its willingness to help take forward this initiative, in cooperation with other international actors. We encourage the Secretary-General to begin consultations to that end as a matter of urgency.

Mr. Urbina (Costa Rica) (*spoke in Spanish*): I wish to express my thanks for the briefings from the Secretariat and the statement by the Permanent Representative of Georgia.

The Council is discussing a particularly sensitive issue this afternoon. We are faced with a situation that my country thus far regards as a forcible dismemberment of a State Member of this Organization, a situation that my country regards as unacceptable.

The aspirations of the South Ossetian and Abkhaz peoples to independence are well known on the international scene. Those aspirations and the de facto authorities that exercise authority over the territories of South Ossetia and Abkhazia had not been recognized as independent political entities before 26 August, notwithstanding the unilateral proclamation of independence that both entities had promulgated some months ago. It is as a result of the invasion of Georgian territory by the armed forces of the Russian Federation and their overwhelming and hardly surprising military victory that a State first recognized the independence of those territories. That State was precisely the one that carried out a military invasion of the territory of Georgia.

Members of the Council can hardly forget that a note (S/2008/545), signed by the Permanent Representative of the Russian Federation, addressed to

the President of the Council and circulated in this Chamber on 11 August, affirmed that the military intervention by the Russian Federation in Georgia aimed

> "to protect the Russian peacekeeping contingent and citizens of the Russian Federation from the illegal actions of the Georgian side and to prevent" — I repeat, prevent — "future armed attacks against them".

Thus, as a result of a military action that included preventive goals and led to the complete weakening of Georgia, we now see the dismembering of its territory through recognition of an independence that had been ignored for a long time. Diplomatic recognition is much more than that. The announcement of the signing of mutual assistance and cooperation treaties is something by which the Russian Federation is seeking to secure, through its huge military power, the dismemberment that it has brought about. We cannot, and the international community should not, reward those actions, which go against international law in all respects.

Costa Rica continues to support the six-point plan drawn up by Mr. Medvedev and Mr. Sarkozy, and equally firmly supports the territorial integrity of Georgia. The international community now has the tremendous duty of finding a solution to this unusual situation, a solution that cannot be that might is right. The situation is all the more serious in that it involves a permanent member of the Council with all the powers entrusted to it by the Charter.

My country remains ready to work alongside the other members of the Council to find a lasting solution to the conflict, a solution that must include the territorial integrity of Georgia, the rights of the peoples of South Ossetia and Abkhazia and, above all, the integrity of international law and the full observance of the principles of peaceful coexistence, enshrined in the Charter of the United Nations.

Mr. Jurica (Croatia): At the outset, I should like to thank the representatives of the Secretariat's Department of Political Affairs and Department of Peacekeeping Operations for their briefings and to welcome the presence among us of the Permanent Representative of Georgia.

Let me begin by expressing our regret at the decision by the Russian Federation to formally recognize the independence of the two Georgian regions, Abkhazia and South Ossetia. As it has on numerous occasions in discussions on this subject in the past, Croatia reiterates its support for the independence, sovereignty and territorial integrity of Georgia with its internationally recognized borders. In our opinion, the unfortunate decision to recognize those two Georgian regions is not in accordance with the Charter of United Nations, the Helsinki Final Act or the prior resolutions of the Security Council, confirming the aforementioned principles, to which the Russian Federation rendered its support.

We are also concerned by the fact that that decision can effectively negate all the progress achieved thus far towards a possible resolution of the situation in Georgia. Bearing in mind the new circumstances, it is self-evident that further progress in that regard will be extremely hard to achieve. Notwithstanding, we need to continue to unite our efforts to achieve a reasonable and peaceful political solution to the crisis. We believe that the best option would be to turn to negotiations, as provided for in the six-principle agreement drawn up by the Russian and the French Presidents. The politics of presenting a fait accompli is not acceptable, as it does not leave room for a negotiated settlement.

My Government strongly supports the efforts of the European Union and the Organization for Security and Cooperation in Europe, aimed at resolving the current crisis. Croatia reiterates its support for the six-principle agreement. According to that agreement, all military action must cease and the military forces must return to the positions they held prior to the outbreak of hostilities. Although the Russian Federation pulled out the majority of its forces from Georgia last Friday, it is still maintaining a presence both within the two regions and in the buffer zones imposed around their boundaries.

Finally, Croatia is extremely concerned by the humanitarian situation on the ground and the large number of refugees and internally displaced persons (IDPs). My Government, acting together with the relevant international organizations and interested Governments, will continue to provide help to all those in need. We believe that all the refugees and IDPs should be given the right to return to their homes and continue their lives in a secure and safe environment.

Mr. Natalegawa (Indonesia): I wish to thank the representatives of the Secretariat for the information they have shared with the Council.

Over the past weeks, Indonesia has been following closely, with considerable disquiet, the situation unfolding in Georgia, in particular the development of recent days, namely, in relation to the status of South Ossetia and Abkhazia, which clearly marks a new phase in the evolution of the issue. That development is hardly likely to enhance the prospect of achieving consensus in the Security Council. It is a development that deeply concerns us.

From the very onset of this crisis, with the attendant suffering of innocent civilians, we have consistently advocated diplomacy, dialogue and negotiation as being the only means to bring about a comprehensive and lasting solution. We have protested against the ascendancy of the logic of war and the vicious of cycle of violence and more violence. Instead, we have spoken in favour of diplomacy and the power of reason and argument over the use of force.

Naturally, therefore, given the primacy that we place on dialogue and negotiation, we have drawn encouragement from the heightened diplomatic efforts in various capitals and through envoys of the highest level to bring the hostilities to an end. We have, therefore, welcomed the six-principle commitments by the parties to bring the fighting to an end. We have also consistently called for an early endorsement by the Security Council of those commitments as a means to consolidate the momentum towards peace.

I do not wish to digress. However, it is, indeed, a source of profound disappointment to us, as an elected member of the Security Council, once again to witness the Council rendered incapable of discharging the responsibility to maintain international peace and security mandated to it by the Charter.

While the Council readily pronounces itself on a host of issues, despite a series of emergency sessions on a matter that directly impinges on that most fundamental principle that governs relations among nations, namely, respect for the territorial integrity and political independence of States, the Council still, and not for the first time, has collectively remained silent and unable to reach consensus. My delegation wishes once again to underline the need for the Council, including its permanent members, to speak with a common voice, calling on the parties concerned to engage in peaceful dialogue and negotiations to bring the crisis to an end.

Before I conclude, I should like to add some additional final thoughts. Indonesia's commitment to the peaceful settlement of disputes is abiding, anchored in the belief that diplomacy and dialogue offer the best chance for a lasting solution. Equally, its commitment to the principles of the territorial integrity, sovereignty and political independence of States, as enshrined in the Charter of the United Nations, is steadfast and consistent. Those principles have guided and instructed Indonesia on other issues that are confronting the Security Council, including a most recent issue relating to another sovereign State Member of our Organization. Consistency is required in the application of principles. Hence, those same principles are certainly also guiding us on the present issue.

Mr. Wolff (United States of America): I too would like to welcome the Permanent Representative of Georgia to the Council and to express our appreciation to the Secretariat for its briefings.

The Council meets today in emergency session for the sixth time since the outbreak of hostilities in Georgia on 7 August. This time, the immediate development that has compelled us to meet is Russia's decision to recognize the Georgian entities of Abkhazia and South Ossetia as independent States. The United States categorically condemns that decision.

Over the course of these meetings, certain facts have not changed: first, Russia's military invasion of Georgia; secondly, Russia's continued occupation of parts of Georgia in contravention of the ceasefire agreement negotiated by President Sarkozy on behalf of the European Union; and thirdly, Russia's disregard for Georgia's territorial integrity. We now recognize those stubborn facts for what they were: a prelude to Russia's illegal attempt to redraw the borders of its neighbour.

Russia's recognition of South Ossetia and Abkhazia as independent States is incompatible with the United Nations Charter and at odds with numerous Security Council resolutions. Just under five months ago, on 15 April this year, the Security Council adopted resolution 1808 (2008), which spelled out, as had many previous resolutions, the following language as its first operative paragraph:

> "[The Security Council r]eaffirms the commitment of all Member States to the sovereignty, independence and territorial integrity

of Georgia within its internationally recognized borders ...".

That simple statement, incapable of being misinterpreted, was unanimously supported by the members of the Security Council, and it is now being single-handedly disregarded by the Russian Federation.

Russia's decision to recognize Abkhazia and South Ossetia in contravention of its own commitments and obligations could portend further disregard of this institution and its undertakings by one of its permanent members. That should be a source of concern and reprobation not only for the members of the Council, but for every Member of the United Nations, whose Charter requires that all Member States shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations. If this wanton effort to dismember Georgia through military force under the guise of self-defined peacekeeping cannot be condemned, the very foundations of the international order that this Organization was founded to uphold will be in jeopardy.

We should all be concerned by the manner in which Russia has acted just as much as we are concerned about what Russia has done. Russia did not call for this body or other international institutions to consider facts regarding Abkhazia or South Ossetia as Russia perceives those facts. Russia did not work through legitimate international institutions available to it to deal with the concerns that it has raised since 7 August. And Russia did not need to recognize two Georgian regions — a decision made possible by its overwhelming military might — to fulfil what it had claimed was its initial reason for taking over Georgian territory, namely, the protection of its peacekeepers and civilians in the South Ossetian region of Georgia. Rather, Russia presumed to confer independence on those two separatist entities as a political act that challenges the post-Soviet borders for the first time since the former Soviet republics gained their independence.

Let us consider the situation in Abkhazia for a moment. Abkhazia does not border South Ossetia. There was no outbreak of hostilities with Tbilisi. There was no humanitarian crisis to address. Russia and its Abkhaz allies advised the United Nations observers to leave and then moved beyond Abkhazia to occupy areas beyond Abkhazia's administrative boundary, where Russian forces remain to this day. The ceasefire plan agreed by Russia does not allow for any presence of additional Russian troops in Abkhazia or for the creation of any security zone there, much less for Abkhazia's independence.

Let me underscore another point. The Abkhaz region hosts a United Nations presence, the United Nations Observer Mission in Georgia (UNOMIG), mandated by the Security Council. In the course of Russia's invasion through Abkhazia, Russia violated a security zone patrolled by United Nations peacekeeping forces deployed by the Security Council. In Abkhazia, Russia is therefore undermining not only the territorial integrity of Georgia, but also the integrity of this Council. This Council should call on Russia to facilitate immediately the full redeployment of UNOMIG personnel to the Abkhaz region.

With regard to South Ossetia, Russia has repeatedly justified its invasion as necessary to stop what it quickly termed genocide, which allegedly had left more than 2,000 ethnic Ossetians dead. That is a serious charge, and it must be seriously investigated. We have also heard reports of human rights abuses against the ethnic Georgian population of South Ossetia. Those are also serious charges, and they too must be investigated. We urge Russia to facilitate an impartial investigation by the United Nations of all allegations of human rights abuses on the territory of Georgia, including in South Ossetia and Abkhazia, in order to establish the facts for all to know.

The Council must also have an impartial and accurate account of the number of internally displaced persons (IDPs) created by this conflict not only in the conflict zone of South Ossetia, but also in Abkhazia. Are ethnic Georgians being permitted to return to their homes? If not, why not? Should we believe so-called president Kokoity's proud claim that ethnic Georgians will not be permitted to return to their homes in South Ossetia? Is there a place in civilized society for such attitudes? Should it not be one of our principal obligations, and one of the international community's principal obligations, to ensure that all Georgian IDPs, regardless of their ethnicity, have the opportunity to return to the homes that they had to flee as a result of the fighting?

Russia needs to complete its withdrawal from Georgia, in accordance with its own undertakings and the ceasefire plan, and we need to move quickly to

strengthen the international mechanism called for in that plan. The deployment of additional observers of the Organization for Security and Cooperation in Europe (OSCE) in South Ossetia is a start, but additional international observers must be permitted to patrol the security zones to ensure that all parties are complying with their agreements, including the agreement to respect Georgia's territorial integrity. Russia's credibility and its relations with its immediate neighbours, as well as with others in the international community, are at stake.

The President (*spoke in French*): I shall now make a statement in my capacity as representative of Belgium.

I should like at the outset to thank the representatives of the Secretariat for their briefings.

I wish to discuss four points. First, the statement made on behalf of the European Union on 26 August, to which the representative of France referred in his statement to the Council, and the statement that the Belgian Minister for Foreign Affairs made the same day on behalf of the Belgian Government, are clear. Together with its partners in the European Union, Belgium unreservedly condemns the unilateral decision of the Russian Federation to recognize the independence of South Ossetia and Abkhazia. That, as we see it, is an act that is based on no legal framework. It violates the territorial integrity of Georgia and goes against all the principles of international law that govern international relations. It contravenes United Nations resolutions, in particular resolution 1808 (2008), adopted unanimously as recently as last April. Finally, it also runs counter to the Helsinki Final Act.

As was stated by the Secretary-General in his declaration of 26 August, Belgium fears that the Russian decision may have serious negative implications for security and stability in the region. Belgium reaffirms its unconditional support for the territorial integrity of Georgia within its internationally recognized borders and calls on the Russian Federation to reverse its decision.

Secondly, Belgium continues to advocate for a full implementation of the six-point peace plan with respect for the additional clarifications embodied in the exchange of letters between French President Sarkozy and Georgian President Saakashvili. The continued presence of Russian troops on Georgian territory outside of the borders established by the six-point accord and its clarifications, particularly, for example, in the port of Poti area, constitute a violation of the accord.

Thirdly, my delegation also regrets the fact that the Security Council has not yet been able to take a unified stand on the conflict in Georgia, notwithstanding the efforts of the French delegation, among others, to whom my delegation wishes to express its deep appreciation. It is clear that the international community, and among others, the United Nations, the Organization for Security and Cooperation in Europe (OSCE) and the European Union, have a critical role to play in stabilizing the region. In this context, it is up to the Security Council to draw up the framework for the implementation of an international mechanism embodied in the six-point accord. The Russian decision to recognize South Ossetia and Abkhazia is not one to facilitate finding the necessary consensus.

Finally, Belgium is seriously concerned with respect to the humanitarian situation. We note that reports indicate grave violence and destruction of villages that have traditionally important Georgian majorities within the conflict zone. This situation needs to be properly investigated, as appropriate, by a United Nations fact-finding mission. In this context, we would once again stress the need for free humanitarian access to all the areas touched by conflict and the immediate establishment of conditions that will make it possible for refugees who have fled to return home.

I now resume my functions as President of the Council.

The representative of the Russian Federation has asked for the floor to make a further statement.

Mr. Churkin (Russian Federation) (*spoke in Russian*): I am ready, first, to give the floor to the Permanent Representative of Georgia since he spoke first, but I understand that so far he is not ready and that he does not have that intention yet. Therefore, I will take advantage of the fact that the President has kindly given me the floor.

If, here in our Chamber today we were to be visited, for the first time, by aliens from outer space, I am sure that after they had listened to our discussion their hearts would be filled with pride for the members of the Security Council, for these people who are so full of principles, at how consistently they champion the principles of international law.

I must say that I in particular liked the statement of the Permanent Representative of the United States reminding the members of the Security Council that States must refrain in their activity from the use or the threat of the use of force. I would now like to ask the representative of the United States whether he has found the weapons of mass destruction in Iraq yet, or is he still looking for them? I would like to ask the representative of the United States whether we haven't heard threats from Washington against another Member of the United Nations or to use force against that other Member and even wipe it off the face of the earth?

Now, several other members of the Council have referred to the importance of complying with resolutions of the Security Council in relation to the principle of territorial integrity. Where, dear colleagues, were you when we — all of us — were discussing Kosovo? In November 2007, the Security Council adopted a resolution that reaffirmed the principle of the territorial integrity of the states of the former Yugoslavia. Why then did you not reaffirm that principle a few months later when the Ahtisaari plan was presented to the Security Council? What about respect for resolutions? And what about respect for resolution 1244 (1999), which clearly does not provide for the possibility of Kosovo unilaterally proclaiming its independence, since what happens in Kosovo is controlled by the United Nations and that situation still prevails there from the point of view of resolution 1244 (1999) — or for the possibility that the United Nations would recognize the independence of Kosovo in the event of a unilateral proclamation? Where then was and where is your respect for international law in that case?

Now, the Permanent Representative of Costa Rica spoke here about the use of force, that the Russian Federation had used force, well, how were we supposed to respond to those efforts to wipe Tskhinvali off the face of the earth? Colleagues will recall that, for several weeks prior to that turn of events, we urged the Council to develop a presidential statement on the non-use of force. Why were we not backed and supported then? And in the first hours of the conflict, we tried to draft a decision on a ceasefire. Why were we not supported?

Now, today, Prime Minister Putin, in an interview on CNN, said how he, at the opening ceremony of the Olympic games on the evening of 8 August — that was the morning of 8 August in Georgia at the height of the beginning of the hostilities of Georgia against South Ossetia — appealed to President Bush, asking the President of the United States to assist in ending the bloodshed, to which President Bush said, "nobody wants war". But, it turns out that Mr. Saakashvili did not agree with him. Mr. Saakashvili simply did not agree with President Bush.

So what were we supposed to do? Was South Ossetia supposed to ask NATO to intervene with force? Well, NATO was busy in Afghanistan and Kosovo and in Iraq American and NATO troops were busy, those troops could not be asked to help South Ossetia? So they asked Russia, because that is Russia's mission to show concern for the security and safety of the peoples of the Caucuses.

As for the use of force, of course, it is bad to use force. But as long as that question has been raised, I once again would like to remind the Council how NATO armed forces were used in Kosovo. Incidentally, Georgia has closed its radio and television channels, excluding everything except Georgian information, and is continuing to broadcast anti-Russian propaganda. Did we bomb the television tower in Tbilisi? No. But NATO, on one of the first days of the war, went off and bombed the television tower in Belgrade, because they did not like the kind of broadcasts that were being transmitted. They spared neither Serbian nor foreign journalists. So that is the use of force for you.

Incidentally, the statement of the representative of Costa Rica is quite understandable because he admitted that, as I understand it, Costa Rica's position here fully differs from the position that it took regarding the recognition of Kosovo. That is a question of principle.

There is good reason why I am dwelling on this point: because Abkhazia and South Ossetia here have considerably more grounds for recognition than Kosovo, both historically and legally. To start off, Abkhazia and South Ossetia, that is the Abkhazians and the South Ossetians, for better or for worse, lived historically together with the Georgians within the framework of some fairly large entities, either the Russian Empire or the Soviet Union.

Mr. Alasania spoke about the regime of the Soviet Union and called it colonial. I am not going to go into definitions here, but Georgia certainly joined the Russian Empire in order not to be destroyed by other neighbours. That has been the historic destiny of the

peoples of the Caucuses, including the Georgian people at a certain stage.

As for the grounds for recognition of the independence of Abkhazia and South Ossetia, I would simply like to remind colleagues of the following. I asked my legal affairs advisers in the Mission for information, and they gave me the following: after the creation of the independent Soviet Socialist Republic of Abkhazia in December 1921, and recognition of its independence by the Revolutionary Committee of the Soviet Socialist Republic of Georgia, Abkhazia and Georgia concluded a union agreement as an alliance between two equal entities. Thus, State and legal relations between them were established on the basis of a treaty.

In 1931, the Abkhaz Soviet Socialist Republic was transformed into an autonomous republic and included within the Georgian Soviet Socialist Republic. I should like to remind the Council that we are talking about 1931 in the Soviet Union, when Josef Stalin was in the Kremlin. There are many other interesting aspects of the union between Abkhazia and Georgia. There was recently a rather good article on the subject in *The Economist* that referred inter alia to the fact that another well-known person in our history, Lavrentiy Beria, had at that time begun to move Georgians from other regions into Abkhazia, in an attempt to try to change the ethnic composition of that territory. That is just one incident for the Council to consider.

Many legal acts of the Georgia Soviet Socialist Republic were repealed in 1989 and 1990, when Georgia began the process of seeking independence and seceding from the Soviet Union, including those that joined Abkhazia and Georgia into a single State. In August 1990, Abkhazia responded by adopting a declaration on State sovereignty. In March 1991, acting in accordance with the laws of the Soviet Union as an autonomous Soviet republic under the Union's laws concerning the procedure for a republic's secession, Abkhazia participated in the referendum on the issue of preserving the Soviet Union. The majority of the Abkhaz population was in favour of retaining the Soviet Union and remaining a republic within the Union. When it achieved its independence, in 1991, Georgia proclaimed itself the successor State to the 1921 Democratic Republic of Georgia on the basis of a referendum in which Abkhazia did not participate, because it did not consider itself a part of Georgia. There were therefore two States on the territory of the Georgian Soviet Socialist Republic that were no longer connected to one another: Georgia, which declared its secession from the Soviet Union as an independent State, and Abkhazia, which continued to be an integral part of the Soviet Union. Those are some details of Abkhazia's history. It is quite understandable that our colleagues are interested in the legal aspects of this matter.

With regard to South Ossetia, its inclusion in the Soviet Union, in the early 1920s, was the result of acts of violence by Georgia. South Ossetia's status as an autonomous republic of the Georgian Soviet Socialist Republic was imposed upon it against the will of its people. It was imposed unilaterally by a legislative act and decree of the Georgian Soviet Socialist Republic. Essentially the same thing occurred as regards the law on secession from the Soviet Union. I should like to remind the Council that, in seceding from the Soviet Union, Georgia declared itself the successor State to the Democratic Republic of Georgia, which existed from 1918 to 1921. At the same time, South Ossetia was formally included within Georgia in 1922. There are many similar events such as that in the relations between Georgia and Abkhazia.

I should like to recall that Kosovo is the historic heart of Serbia. Neither Abkhazia nor South Ossetia plays a similar same role. It was for good reason that Western politicians recently invented the term "core Georgia". It is quite understandable why, for everyone comprehends perfectly well that there is Georgia, within its present boundaries following the declaration of independence by South Ossetia, and then there is Abkhazia, a country with its own history, part of which I have just recounted for the Council by way of a short legal analysis of what took place.

Let me say just a few more words. The Permanent Representative of the United Kingdom spoke of how well things were developing and about the negotiations taking place. Then Abkhazia and South Ossetia unilaterally declared independence and Russia recognized it, thereby undermining the wonderful diplomatic efforts under way. First of all, I would like to reaffirm that we of course continue to respect the six principles worked out and announced by President Sarkozy and President Medvedev. When the principles were read out in the Kremlin on 12 August, the sixth principle read: "the beginning of an international discussion on the future status of South Ossetia and

Abkhazia and ways of ensuring lasting security." The principles, read out in perfect Russian by President Medvedev, were then read out in perfect French by the President of France. Then you went and forgot about the references to future status issues. There is your diplomatic progress! That clearly happened under pressure from the United States. That is no secret to anyone. The representative of the United Kingdom then went on to speak of the wonderful discussions here in the Security Council. The drafts he has been submitting again hammer on the principle of territorial integrity, even more than in the earlier resolutions adopted. But the events, Georgia's aggression, have created a totally different situation from the point of view of the peoples of South Ossetia and Abkhazia.

Ambassador Wolff asked about why Abkhazia made its declaration when the aggression had been against South Ossetia. Documents show that, after South Ossetia, there were Georgian plans for aggression against Abkhazia. Of course, the Abkhaz are not crazy, and did not want to sit around waiting until Georgia had finished with South Ossetia to come after them, given that Mr. Saakashvili had decided to resort to military adventure to settle his problems regarding the status of South Ossetia and Abkhazia.

In such a situation there were no prospects for reaching agreement and for continuing any discussion in the context of the six principles initially announced by the Presidents of France and Russia. Of course, the will expressed by the peoples of South Ossetia and Abkhazia, following the violence against South Ossetia, made it impossible for the Russian Federation not to take the situation into account. That led to our recognition of their independence.

In conclusion, I should like to reaffirm that, based on our ongoing commitment to the six Medvedev-Sarkozy principles, we are prepared to continue to work constructively on a possible consensus resolution of the Security Council. However, we believe that there is already a perfectly appropriate basis for that in the Russian draft resolution on the six principles. We honestly do not understand why our colleagues are not ready to support the Russian draft resolution. We won't put it to a vote yet. We are in no rush and are willing to wait until our colleagues understand that the best course of action is to support the six Medvedev-Sarkozy principles.

The President (*spoke in French*): The representative of Georgia has also asked for the floor to make an additional statement. I now give him the floor.

Mr. Alasania (Georgia): I suppose that most members of the Security Council expected the Georgian representative to become emotional. However, today we see the representative of the Russian Federation becoming very emotional about the facts, about the legal analysis and about the consequences of this meeting. I would like to say that I feel that he is a very honest man who does not really feel comfortable with the arguments supplied to him from his capital to respond to the arguments of the majority of the members of the Council. Those arguments were only intended to denounce as illegitimate the actions carried out by the Russian Federation. I shall start by briefly referring to history, because my colleague mentioned a lot of history.

First, all the historic and legal analyses are set against the backdrop of the Soviet Union. I believe it is very clear that 90 per cent of the population of Georgia voted in the referendum on independence, with 61 per cent of the Autonomous Republic of Abkhazia also voting for the independence of Georgia from the Soviet Union. I understand that it is hard for some members of the Russian leadership to believe that the Soviet Union is dead. You can do nothing about it. As much as you wish it, you cannot resurrect the Soviet Union by recognizing parts of the State of Georgia.

But, anyway, regarding the history of 1921, on which Mr. Churkin touched here, this is precisely another example of the twisting of historical facts by the Russian Federation, because in 1918 Georgian independence was declared — with Abkhazia and other parts of Georgian territory — and it was recognized by Russia itself. But less than nine months later they occupied it and barbarically exiled the democratically elected Government. I see this as truly reminiscent of the things — as I have mentioned in previous interventions — that are happening now in Georgia and the nature of the real intent of the Russian Federation during this military campaign against Georgia.

In terms of the recognition of the principles of international law and the principle of territorial integrity, I clearly remember that just a few months ago, after Mr. Medvedev's election as President of the Russian Federation, he addressed the diplomatic corps on foreign policy issues. It was specifically mentioned that his country would continue to support this principle and that this was the most universal principle that its foreign policy should be based on. I do not understand what the U-turn is about a few months after the statement made by the Russian President.

So, clearly, this all was pre-planned. I think we should not judge the events starting from what happened in August. Just remember: a year ago, when in the Security Council we were cautioning and alerting members of the bombardments by the Russian Federation on Tsitelubani, very close to the vicinity of the South Ossetian conflict zone. Then, Council members, you will remember that insurgents, led by Russian Special Forces officers, were detained and neutralized by Georgian forces inside Abkhazia, Georgia. You will remember how authoritatively we were sounding the alarm that there was an imminent threat against Upper Abkhazia, Georgia, just a few months ago, and that infrastructure was being built by the Russian Federation precisely to accommodate their offensive military operation, namely the building of the railroad infrastructure which, as we were saying, was unfortunately used to occupy my country, to attack Upper Abkhazia and to ethnically cleanse Georgians from Upper Abkhazia.

What I want to say now is that I do not want to get further involved in this word-fight here. What I want to ask everyone is to support the initiatives voiced here by members of the Security Council: first, to get as best we can, as soon as we can, a humanitarian fact-finding team on the ground. We want this, and Georgia fully commits itself to collaborate and to help this fact-finding mission on the ground — from the United Nations, if that is the decision — to identify what kind of humanitarian catastrophe we are looking at. We want to have very accurate, impartial observation and reporting coming to the Security Council. That is the first thing.

The other thing is this: it is evident that most of the Council members are condemning Russia's unilateral action. I think the valid thing would be to again reiterate the commitment of member States to the existing Security Council resolutions, which specifically set out full support for the territorial integrity of Georgia within its internationally recognized borders.

And of course I must not fail to say that we cannot only highlight the South Ossetia conflict, with the ongoing humanitarian catastrophe there, and forget about the Abkhaz situation, as was voiced here by a few Security Council members: that attack on Upper Abkhazia was illegal, and we need to get representation by the United Nations Observer Mission in Georgia up there as soon possible. I know that the Russian peacekeepers and the Abkhaz militia are against this, but we have to find the courage and willingness to persuade them that we need to have full observation in Upper Abkhazia as soon as possible, in order to start returning the internally displaced persons who were ethnically cleansed from there.

Those are the points I wanted to share after colleagues voiced their concerns. I want to thank all of them for their comments, and we count on their continuing support.

The President (*spoke in French*): The representative of Costa Rica has asked for the floor to make a further statement, and I call on him now.

Mr. Urbina (Costa Rica) (*spoke in Spanish*): I would like to come back to the last few lines of my earlier statement. I said that Costa Rica was still prepared to work with other members of the Council to find a lasting solution to the conflict — and, Ambassador Churkin, that solution should include the territorial integrity of Georgia, the rights of the Ossetian and Abkhaz peoples and, above all, the integrity of international law and the full observance of the principles of civilized coexistence enshrined in the Charter of the United Nations.

I am grateful to the representative of the Russian Federation for reminding me of the history of the region. That was precisely the concern of my President, who was anxious to strike a balanced position on this issue and who spent an hour on the telephone with me seeking to clarify the situation.

I am sure that some will want to analyse the position that Costa Rica took on Kosovo and contrast it to that on the situation in Georgia. But the similarities between the two situations stop in this case with the use of force to catalyse separatist aspirations. That is where the similarities between the two situations end. Costa Rica recognized Kosovo's unilateral declaration of independence as a legally valid decision. As a State that respects international law, we have taken a position that we consider to be legally valid.

But, also as a State that respects international law, we have accepted and supported the path that Serbia is taking in seeking an advisory opinion of the International Court of Justice. Representatives of Serbia who are present in the Chamber should know that Costa Rica supports — and will support in the General Assembly — Serbia's aspiration to seek an advisory

opinion from the Court. Then, if we need to adjust our position, we shall do so. Our conduct will be consistent with the observance of law. We believe that to be a principle of civilized and respectful coexistence among nations: the rule of law, not force.

Hence, it does not seem reasonable to try to confuse or indeed to equate situations and actions that are entirely different. In one case, there are divergent views, conflicting interpretations and peaceful solutions that have been formulated and that are under way. In the present case, I would recall that in some international circumstances there is an attempt to promote the principle that might is right. That continues to be totally unacceptable to my country.

The President (*spoke in French*): The representative of the United Kingdom has asked for the floor to make a further statement, and I call on him now.

Sir John Sawers (United Kingdom): I am sorry to intervene again, but I shall do so very briefly. I have heard nothing this afternoon that leads me to change the statement I made earlier, but I just want to respond to the parallels that, not for the first time, our respected colleague Ambassador Churkin has sought to draw between Russian actions in Georgia and the NATO intervention in Kosovo in 1999. I am afraid that that assertion of Ambassador Churkin simply does not stand up to scrutiny.

The military action in Kosovo in 1999 was a multinational operation; its purpose was to avert an impending humanitarian crisis, in pursuit of objectives set out in Security Council resolutions; and it took place only after all other peaceful avenues had been exhausted, including a major international conference on Kosovo's future, whose outcome was blocked by Serbia, and following further atrocities committed by Serb forces. There followed nine years of United Nations administration and further exhaustive diplomatic efforts, before Kosovo, with extensive international support, moved to independence after the final status process called for by resolution 1244 (1999). It was only because of the position of the Russian Federation that the Council was unable to endorse the plan drawn up by the United Nations envoy in accordance with that resolution.

In contrast, Russia has taken just three weeks to move from military intervention, in defiance of numerous resolutions of this Council, to a unilateral re-drawing of Georgia's borders, with no political process. The actions of Russian forces in Georgia following 7 August and the hundreds of thousands of Georgian refugees give the lie to the idea that that was a humanitarian intervention.

The President (*spoke in French*): I now give the floor to the representative of the United States.

Mr. Wolff (United States): I was not intending to take the floor. I am not psychologist, and I do not know what brought on the free association we heard from Ambassador Churkin.

There are eight members of this Council that have recognized Kosovo, eight members that concluded that recognition was the right thing to do. None of them did it under the cover of force, as we have heard.

There is a body of resolutions related to Iraq, which we are all quite familiar with, and violations of those resolutions over many years. There were divisions on the Iraq war, those are well- known. We thought we had overcome them. Apparently there seem to still be some lingering frustrations. But there is no territorial ambition or desire to dismember Iraq.

As for Afghanistan, we have a coalition in place trying to consolidate a democracy — again, with no territorial ambitions — and trying to help the democratically elected Government.

We have heard specious comparisons before. They cannot detract or deflect from the facts before us, and those remain very clear. As I have said before, facts are stubborn things. Russia invaded Georgia, Russia is occupying Georgia, and under that occupation, Russia is dismembering Georgia, in full disregard of that country's territorial integrity. No amount of effort to compare it with completely unrelated and dissimilar situations can excuse that.

The President (*spoke in French*): I now give the floor to the representative of the Russian Federation.

Mr. Churkin (Russia) (*spoke in Russian*): Well, it is good that Ambassador Wolff said that he is not a psychologist, if I understand correctly, because the distinguished Permanent Representative of Georgia, Ambassador Alasania, thinks that he is a psychologist and has attended enough meetings of the Security Council now that he thinks he can provide insightful assessments of the behaviour of the members of the Council. But I leave that to his own conscience.

In connection to the reference made to being comfortable with something, I would like to say the following. I am fully comfortable in stating the positions of the Russian Federation in this difficult situation. I experience great discomfort when I hear how colleagues are twisting facts and principles and when some colleagues continually resort to double standards in interpreting various situations. I am not going to go into detail here. I think that you all understand what I am talking about.

Finally, on the subject of feeling comfortable, if the distinguished Permanent Representative of Georgia, Ambassador Alasania, feels comfortable about the fact that his leadership has unleashed a bloody military adventure and plunged his entire people into such a difficult ordeal, then what is bothering him?

The President (*spoke in French*): There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 5.05 p.m.